

U.S.A. vs Carlos Garcia Avila No. 07CR0745-WQH

The Court finds excludable delay, under the section indicated by check (✓), commenced on 7/14/08 and ended on 9/15/08.

- 3161(h)
- (1)(A) Exam or hrg for **mental or physical incapacity**
  - (1)(B) **NARA examination** (28:2902)
  - (1)(D) State or Federal trials or **other charges pending**
  - (1)(E) **Interlocutory appeals**
  - (1)(F) **Pretrial motions** (from flg to hrg or other prompt dispo)
  - (1)(G) **Transfers from other district** (per FRCrP 20, 21 & 40)
  - (1)(J) **Proceedings under advisement** not to exceed thirty days
  - Misc proc: Parole or prob rev, deportation, **extradition**
  - (1)(H) **Transportation** from another district or to/from examination or hospitalization in ten days or less
  - (1)(I) Consideration by Court of **proposed plea agreement**
  - (2) **Prosecution deferred** by mutual agreement
  - (3)(A)(B) **Unavailability of defendant or essential witness**
  - (4) Period of **mental or physical incompetence** of defendant to stand trial
  - (5) Period of **NARA commitment or treatment**
  - (6) **Superseding indictment and/or new charges**
  - (7) **Defendant awaiting trial of co-defendant** when no severance has been granted
  - (8)(A)(B) **Continuances** granted per (h)(8)-use "T" alone if more than one of the reasons below are given in support of continuance
  - X (8)(B)(i)(1) Failure to **continue** would stop further proceedings or result in **miscarriage of justice**
  - (8)(B)(ii) 2) **Case unusual or complex**
  - (8)(B)(iii) 3) **Indictment** following arrest **cannot be filed** in thirty (30) days
  - (8)(B)(iv) 4) **Continuance** granted in order to obtain or **substitute counsel**, or give reasonable time to prepare
  - 3161(I) Time up to **withdrawal of guilty plea**
  - 3161(b) **Grand jury indictment time extended** thirty (30) more days

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Date 6/20/08

[Signature]  
Judge's Initials